

Chapter 15

The Condition of Vulnerability in the Educational Context: Ethical Considerations and Juridical Perspectives

Giovanni Tarantino

University of Salento, Italy

Maria Sponziello

Istituto Comprensivo Casarano Polo 2, Italy

ABSTRACT

The chapter compares the Hippocratic-inspired model of care, based on philanthropy, with the functionalist model, which instead leads to an essentially clinical-therapeutic approach. The reflections are set against the background of the recent school legislation which sanctioned the transition from the school of integration to the school of inclusion, with particular reference to the problems of vulnerable individuals and the solutions proposed in favor of the latter, by the International Classification of Functioning, Disability, and Health. Starting from this, the authors urge the legislator to enhance the dimension of dialogue “with the other” in order to arrive at future legislation leading to the achievement of full protection of the dignity of the human person, considered in all its dimensions.

INTRODUCTION

The issue of vulnerability in the school / educational context has been the focus of numerous regulatory interventions in the last few decades. Specifically, the succession of laws introduced has seen an evolution in the regulation of this issue which, from initially differentiating between non-vulnerable pupils and pupils with vulnerability (or with disabilities), has shifted to the integration of the vulnerable, finally reaching their full inclusion in the school context.

Considering this regulatory path, it should not be forgotten that the high degree of inclusion achieved by pupils with vulnerabilities has specifically found an essential reference point in the specialized sup-

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port teacher. The importance of this particular teacher figure has been appreciated all the more in the pandemic period we are experiencing today, in which educational poverty and school dropout are accentuated for all pupils, and even more so for those with vulnerability. Starting from this, however, it must be acknowledged that the inclusion achieved today cannot be entrusted only to the support teacher who is in close contact with the vulnerable pupil: it is the ethical duty of every teacher in a class, of the school and of those who direct it.

Hence the reflections that will be presented here will delve into the ethical dimension of the teacher-learner relationship, which in our opinion is analogous to the relational dimension of care established between those who have the ability to provide support or care, and those who, on the other hand, need to receive such support and care.

SEN: BETWEEN THE SKILLS PROFILE OF THE INCLUSIVE TEACHER AND THE SUPPORT TEACHER

In view of the above, it can therefore be said that, since the effectiveness of the support teachers' intervention is directly proportional to the extent to which the context is enabling (a statement that finds its conceptual foundation in the relational dimension of care and in the ethics of skills), it follows that their skills must be in tune with an inclusive context also made up of curricular teachers whose skill profile corresponds to that of an inclusive teacher.

Below we will take into account the content of an article entitled *Bisogni Educativi Speciali (BES) e normativa scolastica*, postilla critica by Antonella Valenti, who reflects on the relational dimension of the teacher / pupil relationship mentioned above and who makes an in-depth critique of the school regulations on SEN (Valenti, 2014).

According to Valenti, who is Coordinator and Head of the Centro Studi 'Bisogni Educativi Speciali e Autismo' of the Dipartimento di Studi Umanistici dell'Università della Calabria, the SEN legislation does not place sufficient emphasis on the educational relationship as it should be understood, that is, first and foremost as an instance of dialectical meeting between people involved in educational dialogue. According to the author, this is "a perspective that – with reference to Buber – evokes a meeting between an I and a thou, as a dialogic relation or pre-structure on the basis of which one can speak in terms of the relation between teacher and pupil. A thou, the pupil, with singularity, individuality, particularity, diversity with special educational needs. On the other hand – continues Valenti - alongside the a priori dialogicity – the pre-structure that always precedes any pedagogical statement – we must place a paradigm that today is indispensable and at the same time unwavering: the paradigm of care [...] [understood as, *nda*] the sense of responsibility constituting the essence or the a priori of every educational act" (ivi, p. 95).

In this sense, as the author herself also clarifies, the paradigm of care is not "a specific paradigm of special educational needs in teaching, but the fact that the pedagogical system would have no meaning beyond the idea of care, if by this we mean the sense of responsibility constituting the essence or the a priori of every educational act" (Ibidem). And for the sake of completeness, it must be remembered that here the author also cites the thought of some authors who have made significant contributions to the theme (Boffo, 2006; Cambi, 2010; Foucault, 2010; 2011).

This sense of responsibility, Valenti continues, is the essence of every educational act and is found in dialogue, of which the reference point and yardstick of every pedagogical effort lies in the uniqueness of the pupil. This uniqueness of the individual pupil derives from his/her specific life experiences, "from

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